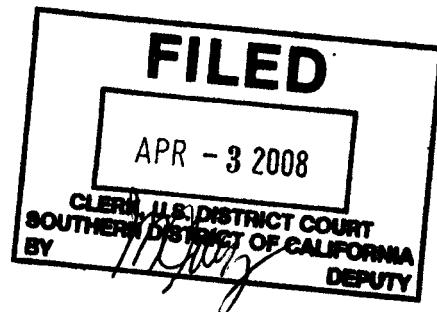


1 **Noreen Rucinski**

1 Dir. Strategic Business Development
2 Schneider Rucinski Enterprises
2 3344 N Mt. View Dr
3 San Diego CA 92116
3 619-282-7977
4 noreenr@cox.net
4 Plaintiff in Pro Per
5 Appearing *pro se*

NUNC PRO TUNC

MAR 28 2008



6
7 **UNITED STATES DISTRICT COURT**

8 **IN AND FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

9 SCHNEIDER RUCINSKI ENTERPRISES,)

10 Plaintiff,)

11 vs.)

12 TOUCH ASIA OUTSOURCING)
13 SOLUTIONS, INC., dba TOUCH ASIA)
14 CALL CENTER, INC.; RUDY NGAW;)
15 STRATASOFT, INC. PACIFIC CALL)
16 CENTERES; LANE MCCARTY)
17 individually and as an employee and/or)
18 agent of STRATASOFT, INC.; JASON)
19 PACE individually and as an employee)
20 and/or agent of STRATASOFT, INC.;)
21 MIKE BRIDGES individually and as an)
22 employee and/or agent of STRATASOFT,)
23 INC.; MICHEL BRIDGES, JR.,)
24 individually and as an employee and/or)
25 agent of STRATASOFT, INC.; INX, INC.,)
26 a Texas Corporation formerly known as I-)
27 SECTOR CORPORATION; COLO 6 LLC,)
28 a California Corporation, and NAVROZ)
HAJI, an individual, and DOES 1 through)
20, inclusive,)

Defendants.

Case No.: 08 CV 0138 WQH POR

Date: April 28 2008
Time: 11:00 AM

Judge: Hon. William Q Hayes

**EX PARTE APPLICATION FOR
PLAINTIFF'S MEMORANDUM for
MOTION TO ENTER INTO DEFAULT**

PLAINTIFF'S REQUEST FOR ENTRY OF DEFAULT

The Plaintiff Schneider Rucinski Enterprises ("Plaintiff") pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, hereby requests the Clerk of this Court to enter a default against the Defendants, Stratasoft, Inc., on the grounds that the Defendants have failed to answer or otherwise respond to the Plaintiff's

1 Complaint on file herein.

2

3 1. Plaintiff filed their original Petition with this court on January 26 2008.

4

5 2. Plaintiff served Defendants by certified process server on or about
6 February 5th 2008, attached hereto as Exhibit "A" is plaintiff's certificate of
7 service.

8 3. Process Service in March 5 th 2008 were for other defendants, no longer
9 working at Stratasoft, complaints were left at the office for their knowledge.

10

11 4. Defendant's agent, in an email dated Feb 5th 2008 , to Plaintiff's,
12 acknowledges receipt of Complaint attached hereto as Exhibit "B".

13

14 5. The amount of \$555,000.00 in the prayer to be granted.

15

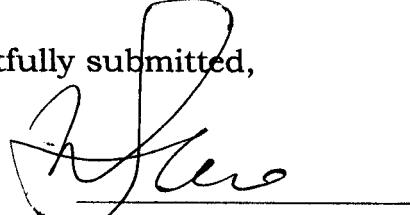
16 6. Plaintiff request any reasonable legal fees that have been incurred over
17 the last four years to be paid.

18

19 Wherefore, premises considered, the Plaintiff hereby requests the Clerk of
20 this Court and or the Judge for Entry of Default against the Defendant's
21 Stratasoft, Inc. a Texas Corporation.

22

23 Respectfully submitted,



24
25
26 Noreen Rucinski

27 On behalf of Schneider Rucinski Enterprises

28

1

2

CERTIFICATE OF SERVICE

4 I hereby certify that I have this day served a copy of the foregoing document :

5 MOTION FOR DEFAULT JUDGEMENT

6 A copy was served as follows:

7

8

9 **BY E-MAIL:** I sent a true copy via e-mail to all known parties of record who
10 have provided e-mail addresses.

11 **BY MAIL:** I sent a true copy via first-class mail to all known parties of record.

12 Executed in San Diego Ca , on the **28th** day of March .

13

14

15

16

17 Dated: March 28, 2008

18

19

20

21

By: 
Fred Rucinski,
An Individual

22

23

24

25

26

27

28

From: Nancy Cuene [nancy.cuene@Stratasoft.com]

Sent: Tuesday, February 05, 2008 2:07 PM

To: noreenrucinski

Subject: RE: Stratasoft Information

Noreen, at this time I can't provide you with any references. Please call Asim Saber our CEO. He wants to discuss the lawsuit that is ongoing. You can reach him directly at 832-446-4501 or on his cell phone at 832-675-4441.

Thank you.

Nancy Cuene
Account Executive

STRATASOFT, INC.

A TRG Company

① 832.446.4536 Office

① 832.446.4510 Fax

✉ nancy.cuene@stratasoft.com

From: noreenrucinski [mailto:noreenr@cox.net]

Sent: Tuesday, February 05, 2008 3:48 PM

To: Nancy Cuene

Subject: RE: Stratasoft Information

Got it, thanks I will review after my meetings today. And get back with you. Did you get a chance to get any references for us to talk to?

Thanks again Nancy.

Noreen Rucinski
Dir. Strategic Business Development
Schneider Rucinski Enterprises
3344 N Mt. View Dr
San Diego CA 92116
619-282-7977 (O)
619-279-2002 (C)

noreenr@cox.net
noreen@clusolutions.com

From: Nancy Cuene [mailto:nancy.cuene@Stratasoft.com]

Sent: Tuesday, February 05, 2008 1:05 PM

To: noreenr@cox.net

Subject: FW: Stratasoft Information

Nancy Cuene
Account Executive

STRATASOFT, INC.

From: Nancy Cuene [nancy.cuene@Stratasoft.com]

Sent: Tuesday, February 05, 2008 2:07 PM

To: noreenrucinski

Subject: RE: Stratasoft Information

Noreen, at this time I can't provide you with any references. Please call Asim Saber our CEO. He wants to discuss the lawsuit that is ongoing. You can reach him directly at 832-446-4501 or on his cell phone at 832-675-4441.

Thank you.

Nancy Cuene
Account Executive

STRATASOFT, INC.

A TRG Company

① 832.446.4536 Office
① 832.446.4510 Fax
✉ nancy.cuene@stratasoft.com

From: noreenrucinski [mailto:noreenr@cox.net]

Sent: Tuesday, February 05, 2008 3:48 PM

To: Nancy Cuene

Subject: RE: Stratasoft Information

Got it, thanks I will review after my meetings today. And get back with you. Did you get a chance to get any references for us to talk to?

Thanks again Nancy.

Noreen Rucinski
Dir. Strategic Business Development
Schneider Rucinski Enterprises
3344 N Mt. View Dr
San Diego CA 92116
619-282-7977 (O)
619-279-2002 (C)

noreenr@cox.net

noreen@c4usolutions.com

From: Nancy Cuene [mailto:nancy.cuene@Stratasoft.com]

Sent: Tuesday, February 05, 2008 1:05 PM

To: noreenr@cox.net

Subject: FW: Stratasoft Information

Nancy Cuene
Account Executive

STRATASOFT, INC.

FROM : It Shall Be Done Civil Process FAX NO. :18883444681

Mar. 05 2008 08:42PM

RETURN OF SERVICE

UNITED STATES DISTRICT COURT
Southern District of California

Case Number: 08 CV 0138 WQH POR

Plaintiff:
Schneider Rucinski Enterprises

vs.

Defendant:
Touch Asia Outsourcing Solutions, Inc. et al.

For:
Rucinski Noreen
Schneider Rucinski Enterprises
3344 N. Mt. View Dr.
San Diego, CA 92116

Received by IT SHALL BE DONE CIVIL PROCESS on the 30th day of January, 2008 at 11:37 am to be serve Stratasoft, Inc., 6401 Southwest Freeway, Houston, TX 77074.

I, Larry White, do hereby affirm that on the 5th day of February, 2008 at 2:50 pm, I:

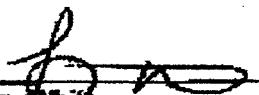
SUBSTITUTE served by delivering a true copy of the **Summons in a Civil Action; Civil Cover Sheet; Declaration of Noreen Rucinski; Notice of and Plaintiff's Application for Writ of Possession; Memo of Points and Authorities; Verified Complaint** with the date and hour of service endorsed thereon by me, name Given as Unknown, a person employed therein and authorized to accept service for Stratasoft, Inc. address of: 519 N. Sam Houston Parkway E., #650, Houston, TX 77060, the within named person's usual of Work, in compliance with State Statutes.

Additional Information pertaining to this Service:

2/5/2008 2:40 pm I Larry White left a copy of the summons and complaint at the front desk at Stratasoft Inc. Gentlemen of India decent (no name given) From Stratasoft, Inc

3/3/2008 1:50 pm I Larry White returned to Stratasoft, Inc. and to obtain a signature and left another a copy of summons and complaint with the recipient named Margie Esposito the office manager.

I certify that I am of sound mind and capable of making this Affidavit. I am an adult over the age of 18, have no interest in the above action nor a party to. I have never been convicted of any felony or of any crime of moral turpitude and I am State Certified and Authorized to serve process under rule 103 and 536(a), to serve citations and other notices of the court.


Larry White
Process Server #SCH000001312

IT SHALL BE DONE CIVIL PROCESS
P.O. Box 10096
Houston, TX 77298-0096
(281) 586-9821

Our Job Serial Number: 2008000053